

Subject: Reston Metro Center - Zoning
Date: Thu, 29 Aug 2019 18:58:26 +0000
From: (b) (6) @cbre.com>
To: Bryant Porter - PRAA-C <bryant.porter@gsa.gov>, "emmett.miller@gsa.gov" <emmett.miller@gsa.gov>
Cc: (b) (6) @cbre.com>
Message-ID: <SN6PR08MB5423B5E125934545CD6DCDE496A20@SN6PR08MB5423.namprd08.prod.outlook.com>
MD5: 6ba32d639f77a38384b4ba3a2e8f7f24

Bryant and Mett,

Good Afternoon! Following up our Expression of Interest submitted on behalf of Reston Metro Center in response to Pre-solicitation Number 9VA2606, the owner of Reston Metro Center (Coretrust) reached out to their attorney (Cooley) to determine if the building zoning can accommodate the use. The email chain is below, please see (b) (6) from Cooley's response on how Reston Metro Center's zoning complies with Fairfax County Code and allows the building to accommodate the HHS Unaccompanied Alien Children Center at the building.

Please let us know if you have any questions and we look forward to your issuance of the RLP.

Best Regards,

(b) (6)

From: (b) (6) @coretrustcapital.com>
Sent: Thursday, August 29, 2019 11:20 AM
To: (b) (6) @coretrustcapital.com>; (b) (6) @cooley.com>; (b) (6) @cbre.com>
Cc: (b) (6) @contrariancapital.com>; (b) (6) @cbre.com>; (b) (6) @cbre.com>; (b) (6) @cbre.com>; (b) (6) @cbre.com>
Subject: RE: In car headed to Tysons

Thanks (b) (6) : much appreciated.

(b) (6) : Please (b) (6) zoning analysis below and let us know any questions.

(b) (6)



(b) (6)
Managing Principal

Coretrust Capital Partners, LLC
Two Liberty Place | 50 South 16th Street, Suite 2650 | Philadelphia, PA 19102
O: (215) 525-1996 | C: (b) (6)
scott@coretrustcapital.com
b

From: (b) (6) @coretrustcapital.com>
Sent: Thursday, August 29, 2019 4:32 AM
To: (b) (6) @cooley.com>; (b) (6) @coretrustcapital.com>
Cc: (b) (6) @coretrustcapital.com>; (b) (6) @contrariancapital.com>
Subject: Re: In car headed to Tysons

(b) (6), thank you very much for this follow up email. This is very helpful. I really appreciate the

additional research you've done on this. Thanks again. (b) (6)

Sent from my Sprint Samsung Galaxy S8+.

----- Original message -----

From: (b) (6) @cooley.com>

Date: 8/28/19 9:12 PM (GMT-06:00)

To: (b) (6) @coretrustcapital.com>

Subject: RE: In car headed to Tysons

(b) (6) I'm writing to follow up with you regarding the migrant detention center. As I mentioned in my last email, it would not be classified as a residential use. Given the unique nature of this type of facility, there is not a zoning definition that specifically applies to this use. However, based on our review of the Fairfax County Zoning Ordinance, it appears that a migrant detention center would be deemed a "public use" and, as a result, would be permitted on a by-right basis at the RMC property.

As you know, the RMC property is zoned I-4, Medium Intensity Industrial District. The I-4 district permits "public uses" on a by-right basis. A "public use" is defined in the Zoning Ordinance as:

"Any area, building or structure held, used or controlled exclusively for public purposes by any department or branch of the Federal Government, Commonwealth of Virginia, or the Fairfax County government under the direct authority of the Board of Supervisors, the Fairfax County School Board or Fairfax County Park Authority, without reference to the ownership of the building or structures or the realty upon which it is situated. For the purpose of this Ordinance, uses sponsored or operated by other counties, cities or towns within the Commonwealth of Virginia or agencies such as the Fairfax County Water Authority, Social Services Board, Redevelopment and Housing Authority, Economic Development Authority, Juvenile Court and Fairfax-Falls Church Community Services Board shall not be deemed public uses and shall be subject to the applicable Zoning Ordinance provisions for the proposed use; provided, however, if such uses are implemented under the direct authority of the Fairfax County Board of Supervisors, they shall be deemed public uses."

In this case, if the migrant detention center is controlled by an agency of the Federal Government (such as through a lease with GSA, CBP or ICE) and exclusively used for the public purpose of detaining migrants, it can be classified as a public use even though the RMC building/property remains under private ownership. Note that in order to meet the "public purpose" requirement the detention center could not be controlled by any private, for-profit entity or have any private, for-profit functions. Based on the information you provided, it appears the detention center is able to meet the requirements of the "public use" definition above. Therefore, it would be permitted as a by-right use on the RMC property.

Thanks,

(b) (6)

-----Original Message-----

From: (b) (6) @coretrustcapital.com>

Sent: Tuesday, August 27, 2019 12:34 PM

To: (b) (6) @cooley.com>

Subject: FW: In car headed to Tysons

(b) (6), Does RMC-I allow for resi by right in support of a migrant dentention center?

Subject: RE: Reston Metro Center - Zoning
Date: Thu, 5 Sep 2019 13:32:05 +0000
From: (b) (6) @cbre.com>
To: Bryant Porter - PRAA-C <bryant.porter@gsa.gov>, "emmett.miller@gsa.gov" <emmett.miller@gsa.gov>
Cc: (b) (6) @cbre.com>
Message-ID: <SN6PR08MB54239705994BA0114DF788FE96BB0@SN6PR08MB5423.namprd08.prod.outlook.com>
MD5: 31dd12f8e530329385ff9ea24ffe9903

(b) (6),

Good Morning! In response to (b) (6) follow up call to our email below, we reached out to (b) (6) from Cooley, and his response to whether the building would require a special use permit is, "the proposed use would not require a special use permit or other conditional zoning approval. Public uses are permitted on a by-right basis in the I-4 zoning district."

Please let us know if you have any follow up questions and we look forward to your issuance of the RLP.

Best Regards,

(b) (6)

From: (b) (6)
Sent: Thursday, August 29, 2019 2:58 PM
To: Bryant Porter - PRAA-C <bryant.porter@gsa.gov>; emmett.miller@gsa.gov
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Subject: Reston Metro Center - Zoning

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Managing Principal

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Cc: (b) (6) [@coretrustcapital.com](mailto:(b) (6)@coretrustcapital.com)>; (b) (6) [@contrariancapital.com](mailto:(b) (6)@contrariancapital.com)>
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Date: 8/28/19 9:12 PM (GMT-06:00)
To: (b) (6) [@coretrustcapital.com](mailto:(b) (6)@coretrustcapital.com)>
Subject: RE: In car headed to Tysons

Tom, I'm writing to follow up with you regarding the migrant detention center. As I mentioned in my last email, it would not be classified as a residential use. Given the unique nature of this type of facility, there is not a zoning definition that specifically applies to this use. However, based on our review of the Fairfax County Zoning Ordinance, it appears that a migrant detention center would be deemed a "public use" and, as a result, would be permitted on a by-right basis at the RMC property.

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(6)

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